THE TAYLOR WILL CARE

Contest Over the Discov ered Will.

The Gennineness of the Signature Questioned-Important Testi Asny for and Against-A Bare Chance for the Lawyers-Further Interesting Developments.

. At el sea o'cleck yesterday morning the examinatica and the Taylor will ease was resumed before Buckerie Robert C. Hutchings.

Settom has the Shriogate's Court been so depecty crowded. Burning the whole progress of the proseedings every available inch of space was occupied, the whole sumi-circle behind the nomerous well filled chairs which cover the can re of the room being blocked up with a throng of persons standing, all of whom appeared rapt in the disclosures which were made. The testimony, which was of a most important and interesting character, a fully given below :-WILLIAM B. BARTETT'S TESTIMONY.

a lawyer in this city for twenty-nive years, and knew the deceased during that time; I had frequently was very paracount in regard to papers: I am acquainted with ar. Taylor's handwriting, having seen him write very often; I see the signature attuened to the will of the deceased, but

there is a great manuarity between that agreature and the body of the will, both in style and the generai care with which it was written; this signiture appears to save occar witten a ter a copy, and not Taylor; has man swriting was never uniform, like tale, and, in my judgment, this signature was CROSS-EXAMINED

by Mr. Rufus Andrews-1 have seen Mr. Taylor write his name takes those within the last three years; previous to that I had not seen and write those signatures, but the general appearance was unimistakably the samet to the best of my behef-

I believe the same person who arew up the will made and signature; it appears to have been writsame tone; I saw a photograph of this signature about ten days are with Mr. Chaton and in comparing it with hwe signatures of Mr. Taylor I had in my possection I was settsfied it was not the band writing of the decensed.

To Mr. Anthon, counse, for Mr. Buryee-People in the execution of decuments of that description pen-erally use more care than on ordinary occasions. ABRAHAM VAN VERHIEN'S TESTIMONY.

Adminant van Vechien tes iffest—I am a Lwyer re-seling in albuny; i knew James E. Tayler mil-limatery for inpwards of twenty years and had tre-quent business transactions with miny his mouts were very systematic to regard to his at position of variable papers; activate any kept them in a safe, the key of since he carried in his pocket; some three years ago Mr. Taylor conversed with me on the surgice of his

Lie key of shield the carried in his pocket; some three years ago Mr. Taylor conversed with me on the shield of th

the teners of the bank.

mmed by Mr. Andrews-I first saw this other surrogate's office, and I am willing to adreit

I SAID THE SIGNATURE WAS GROUND. IMPRISON WITH Other signatures and after a at examination, I have come to the opinion as not his handwriting; I never saw Mr. Tayingadure when written slowly, for he a ways a rapidly: I would suppose a person would a document of that so minity with more carausal; I have stated on more than one occa-THAT THIS WILL WAS GENUINE.

THAT THIS WILL WAS GENTINE:
If was only within the past two weeks I made a
carrent examination of the signature; Mr. Clinten
showed me a partograph of the signature, and on
that I made my examination; I never stated to any
one that Mr. Taylor sale he mittended to all of fight
with 20,000 a year; I don't think I ever said
so, and if I did It was not a fact; I stated to Mr.
Canton in our interview that I mel not betteve the
signature was genome: I saw the deceased the last
time about the latter end of July, at his residence; I
denote exchang any conversation that look obece a do not recollect any conversation that look pince at that time about Rate, or about the disposition of mis property; I beam air. Taylor spote of Duryer as a "intersecondred;" he had a very decided manner of

property; I beard Mr. Taylor spoke of Duryse as a "fittee scoundrea;" he had a very decided manner of talking, but his expression with regard to Duryse happes ed me considerably, for we had serious conversations; I came here voluntarily to testify, and received no intumation whatever of payment; I and of the Two NOTES OF MR. TAYLOR'S, for \$3,000 each, against the estate; I had a conversation with Mr. Abrest recently, but it was not soiely in reference to payment for these notes; I am not now prepared to swear to whose hamily riting the body of that will is, but it appears to me the signature and the body of the will were written by the same person; I am not sufficiently well acquainted with Duryse's land writing to enable me to swear to it, but my first impression is that it was written by him.

might have spoken of me, possibly in the same way that he spoke of buryee.

To Mr. Chmon-Mr. Taylor obtained Duryee's discharge from the army, and on this subject he hold me there were reasons why he desired his retain to his employment and other reasons why no did not want him back.

Charles. To Mr. Anthon, on behalf of Duryes-Mr. Taylor

CHARLES L. PROST'S TESTEMONY. Charles L. Frost is since — I am pression of trailroad of which Mr. Taylor was a stockholder, at Charles L. Frost testined—I am prestient of the railroad of which Mr. Taylor was a stockholder, and for the three months previous to his death was very maintained with him, during that time I had occasion to use his signature in connection with the railroad and was consequently very hitting with the railroad and was consequently very hitting the with the labored and was consequently very hitting the time the taylor was white the tast time I saw hon write his name was on the sam of august, I was with aim on the day he was taken seed, I see the signature attached to this with and I have no doubt whatever that I is not in his nandwriting.

Cross-examined to Mr. Andrews—It was this morning is saw this will for the first time, but I had previously compared a photograph of it with several signatures of ar. Taylor which I had him, possession; on that occasion I said if the photograph was an accurate copy

This signatures of Mr. Taylor's now in my possession, and they are no more like the signature of the with that a packars is to a cow (in a fixed the city; one looks as if it was a connectic good does not bear the merchant-like dash of the other; if you will perceive that this chesh of the other; if you will perceive that this chesh the will is indeed shorter and any of them and is evenedly the result of study; there is no difference between any two or large them, — or exponences, and i am willing to leave them in the castody of the court, for may are nil paid (intigitier); there are of course sine signifulnes which occur from having a bad pen, out the general appearances of the signatures are the same; and an affective with Mr. Clotton, but as

diagrences which occur from having a bacipen, but the general appearances of the signatures are the same; and an interview with Mr. Clutton, but as he wanted to base my plant four it short; I have no settled outsiness with Ar. Tripler's cate.

TESTIMONY OF JOSETH F. 17 CH.

Joseph F. Finch was then called to the should. He testined:—I knew Mr. Tripler from less to two years before his deala; during that thee I was very intermet with him and had frequent doesness relations with him: I franticitly was him write; I have george Buryce, who was In Mr. Layler's office; I was shown the will, and said, the my equippe total signature at the foot of this will be not in the banel writing of the deceased."

Cross-examined by Mr. Andrews-Mr. Taylor and dome unfeatily with me, and for the data two years

FRZ. II BROOKLYN.

Several Frame Buildings Destroyed-Loss \$20,000. A fire broke out in the oil dyeing establishment, a

frame bailding, owned by J. A. Lockwood, Nos. 250 and 252 Water street, about three o'clock yestermy afteraoon. It originated from the bot-air pipes setting fire to the dyed cloth which was being dried in the drying room, on the second story of the estabishment. The firemen were prompt in another in the drying room, on the second story of the closely packed frame teachests in the neighborhood from desiral from teachests in the neighborhood from desiral from the fire time, owing to the high which for a time, owing to the high which prevailing and i.e. indiaminable nature of the buildings, appeared inevitable. As it was, the bindings occuried as a paint shop and stances, Nos. 241, 246 and 143 where alicely owned by accesses, the bordings occuried as a paint shop and stances, Nos. 241, 246 and 143 where alicely owned by accesses, the is evacuation by the poor people who were there counciled. No. 253 Water street, owned by Notl Cohway, was damaged to the amount of \$200; insured. Mr. Lockwood's loss is \$12,000 on building, stock and machinery, he is an insurance of \$5,00 at one Machinetan, Wilhamsburg, Lainy ette and Ningara Companies.

Messes at \$2,000; insured in New York companies.

The sparks set life to the roofs of No. 176 York street, owned by Ar. Balawin, and No. 178 Same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Ar. Balawin, and No. 178 same street, owned by Mr. Balace. Dannings about \$1,000 erch. Both were insured. The tenants in the various noness wealt lose about \$2,000 in furnitive and clothing.

POLICE PRECADILLOES.

Trial of Policemen-Commissioner Barr's

At nine o'clock yesterday morning Commissioner Thomas dark sat in judgment upon offending policemen. There were about diffy complaints, the majority of which were for being off post, conversing and not found on post. During the trial of two officers of the Twenty-first precinct for conversing Mr. Barr took occasion to address the members of the police force present, and metabers of the policy loce present amounced that it was his determination nereafter to vote for the dismissal from the force of every officer against whom three charges per month are preferre. The Commissioner commons I upon the to vote for the dismissal from the force of every officer against whom three charges per month are preserve. The Contains index commonts 1 upon the growing habit of the force to violate rules, and desarred if the other Commissioners would sustain him he would encewor to increase the morale of the force. He then proceeded with the trials, officers Tierney, Mathews, Kehoe and Houseman, of the Twenty-second precinct, were char, ed by Sergens Fitzgerald with being off post in a browery. The others admitted the charge and gave as an expense for being several blocks off post that they were cold and wear into the furnace room to warm increase for being several blocks off post that they were cold and wear into the furnace room to warm increaselves. Mr. Hart, with the concurrence of Mr. Manterre, who was also present, recommended that the accused be discussed the force, officer Reynolds, of the Twenty-second, was coursed by expoliceman Whitanan with improper dondact. Writing and men came rate has saloon and raised a row; he put them out, when they struck him. Reynolds grabbed him, in tegal of the men and refused to a resistance when asked to do so. He arrested whitman on a charge in tend of the men, and refused to a rest them when asked to do so. He arrested whitman on a charge of aborderly conduct, sithough one of the rowdless trank him in the face white he was in Reynolds custody. The charge was sestianed by four or five witnesses. Reynolds stated that he arrested whitman because he saw him strike one of the men, and en a previous occasion. Whitman was arrested by him for personating an offer. The evidence in this case was referred to the Board.

SUITING BUILDIE.

A Brooklyn Tailor Swindled-Sharpers Select Superior Suits and are Seen no More.

An old dodge bears repetition sometimes. There can be no doubt upon that point. In Brooklyn the sharps make a haul not unfrequently upon the most ciever business men by piaying games which should have been threadbare long ago, and therefore too thin to bear repeating in that or any other community of equal intelligence. The latest case of vicumizing a storekeeper is as follows:-About two weeks ago a very fashionably attired young man called at the tallor's shep of James Mitenell, Montague street, near Hicks street, and, after having closely examined the varied stock on band, selected materials for a full suit-coat, pants, vest and overcoat. He ordered the clothes to be made without any delay, and agreed at me ac knew Groker Pitree Was a scounder; I have seen Mr. Taylar's summature to a great meny business papers non have received many fatters from him; I saw and not the ist of Juny, the day after the salieged will purports to have been drawn up; greater of a meyer gave me any reason to saper than the never gave me any reason to saper than the never gave me any reason to saper than the never gave me any reason to saper than the never gave me any reason to saper than the never gave me any reason to saper than the never gave me any reason to saper than the national to this will produced dated at the lines saw this will i made the remark that.

If was blaan ve by Grokers Dourtie; when I have summative always once a peculiarity when I have summative always once a peculiarity when does not appear me that noised to this wait, if this signature is that of the deceased, it is better than I ever saw him write. (Several signatures of the deceased were to be ready for him and the metallic to the withers at the training to the claims of the fallow of the salient of the same them in the signature of the deceased, it is better than I ever saw him write. (Several signatures of the deceased where here handed to the withers and identified by him as those of ar. Taylor).

I don't hims any one was more than far with the signature of the deceased where here handed to the withers and the received the course of the co once to the price fixed by Mr. Mitcaell, \$120. He by a young man who took them from him and en-tered the house. Inside he inquired of the lady of man for whom the things were intended was at home. Upon receiving an an-wer in the negative, he walked off. The boy discovered his mistake too

THE CROWN HOMICIDE.

Unnecessary Delay in the Investigation-Galles Desies His Guilt.

The circumstances attending the death of John Cronin, late an assistant cook on board the steamthip Morro Castle, whose death is alleged to have been caused by being struck on the head with a tumbier in the bands of Robert Gulles, chief cook tween them at 25 West street, some three weeks ago, was to have been investigated vesterday ago, was to have been investigated yesterday before Coroner Flynn, but for some reason best known to that omend it did not take place. All the important witnesses could have been in attendance on snort actice. There seemed to be some under indicance brought to bear to stave off the investigation, notwribstanding the accused was exceedingly anxious to be relieved of the suspicion now resting against him, and was fully prepared with his witnesses. Guiles, who bears a good reputation, claims that he was first assaulted by deceased, then much under the influence of liquor, and whatever he did was purely in self-defence; that he had no intention whatever of taking Cronin's life, &c. It was finally determined to proceed with sec. It was finally determined to proceed nyestigation this afternoon, and in the n Gailes remains in the Tombs awaiting

A DISHONEST SHOEMAKER.

son of St. Crispin Charged with Stealing

a Dimmond Ring.

Theodore Janicke, a son of St. Crispin, called, on the rist inst., at the residence of Mrs. Phobe A. Doyle, of No. 64 Fike street, to collect a small bill, Mrs. Dovle was at home. Theodore took a seat and tarked about the weather and other similarly interesting subjects. By and by his eye got the glitter of esting anticets. By and by his eye got the glitter of a diamond on the manteplece. Then Tacodore, walking over, took up a prayer book and began to turn over its pages. Airs, Doyle was working around. "What course do you belong to, Mrs. Doyle "he being a distributed by the bound of the remarked, closing the book. Mrs. Doyle to being a distributed with a distributed was again at the mantelplece, apparently inspecting the craablents thereon. In duccourse of time his bill was paid and Theodore but. Not long after, between, after precise Boyle missed her diamond him, when was valued, by the way, at \$100, and after considerance confinition size arrived at the conclusion that Theodore was the thief. She accordingly caused in arrest and he was yestering brought before Justice Scott and held to answer at the General Scottons. January at a selection of the conclusion of the

BRILLIA T ROBBERY.

Shortly after candle light on Thursday night two well-dressed young men entered the lewelry store of look at a diamond cross, vatued at \$100, which was in a truy with about \$3,000 worth of diamond rings. One of the clerks produced the desired article, and walle the supposed outletters were exmate with him and not frequent observes the state of the sorre entered and snatching the cross from the sorre that was shown the with and sand, the my spine point with the sorre entered and snatching the cross from one of the mark hands, made off with it, has conficient at the foot of this will is not in the sand-writing of the decease...

Cross-examined by Air, Andrews—Air, Taylor had some unification with the and for the last two years our milimacy had ceased altograph of the sation year our milimacy had ceased altograph of the sation year our milimacy had ceased altograph of the sation year our milimacy had ceased altograph of the sation was called to a photograph of the sation of this sufficient, and was called to a photograph of the sation of the sation house. They gave their names as will an Hernard R. Rice, and were genuine one, I considered it a forger; it appeared to be too regime in the formation of the station of the sand wanted that dean that was displayed in Air, Fayler's significant.

At the conclusion of this testimony the examination was adjourned in women and that was displayed in Air, Fayler's significant of the sation of the station of the sack, and the many the sation of the parties of many the conclusion, and denied the county, but were committed with them by the above acceptance of the sation of the sation of the station of the sation of the sa and log it a confederate who had stopped in front

THE COURTS.

The Custom House Simony Ca e Dismissed-Important to Real E tate Owners-The McFarland Care in a New Phase-Is he Copy of a Cony a Receipt in Law !- Kearne , Charged with the Shooting of Gerdis, Discharged.

UNITED STATES COMMISSIONERS' COURT. The Charge Against Mr. Phelps Dismissed-

Before Commissioner White, Charles H. Phelps, the weigher in the Custom House, who was charged before Commissioner White with having sold positions under him, has been discharged. The testimony, which has already appeared in the HERALD, showed that in two inappeared in the HERALD, showed that in two in-stances other parties, one of whom was Phelps' sister-in-law, had received money from men to get positions under Phelps, and that these men were interwards bired by Phelps, but it was not shown that Phelps, when he aired these men, was person-any cognizant of this money naving been paid, and it was proven that he discharged the men on hear-ing that they had paid money to have influence used to obtain these positions, and had the money which they had paid refunded to them.

SUPREME COURT-CHAMBERS.

Important to Real Estate Owners. Before Judge Barnard. The following, which is the substance of an opinion just given by Judge Barnard in the Supreme Court, will be read with interest by real estate owners:—

Elizabeth Wiley es. Cameron W. Hopper et al.—
This is a motion to compet purchasers at a referee's

will be read with interest by real estate owners:—

Eurabeth Witey vs. Cameron W. Hopper et al.—

This is a motion to compete their purchases. The facts are states in the opinion of the Court.

Judge farmard says:—Alt referee's sale in partition among the hors of one Charles Hopper of certain real estate situated on Houston, Mott and Hizabeth streets, in the city of New York, ference Farley and others became purchasers of dinerent parcess of the property. On objection to this taken by this count to a referee to take proofs respecting the validity of the little of the parties to said action to said several parcels.

Proofs taken on such reference are returned with the report, and to the report of the referee that by the deed of the referee by whom the sale was made a sufficient the would pass, exceptions have been flied by the purchasers. To so mand of said exceptions as relates to the encumbrances on some of the shares of the parties to the action, the answer is that the purchasers will be abundantly protected by a direction to the referee by whom the promises were soid to cause them to be sailsted from the proceeds of sale. From the proofs returned with the report it statisfactoring appears that, so far as the premises purchased by these objectors are concerned, Charles Lopper, as the time of his death, under a claim to own the same in less thing, and occupied by him or his tenants without molestation. There is neithing in the evience taken before the referee cading to show that there were or are any adverse cannants who, by reason of any disability, could interfere with his tiene, however, that there are links in the annual of conveying and continued on the proposity, the absence of which from the record constituted one of the grounds of objection, was produced and its execution proven, and the same is returned as on of the exhibits annexed or appended to his report. It is true, however, that the title of Hopper is what is called a possessory one; and they must that they should be released from their bid. I d pends on matter of fact. That, however, is true of

cevery title to a greater or less degree.

I think that if this were a private sale the title proved would be sufficient to maintain a bill for specific performance, and that under the authorities, here and in England, it would constitute a good marketable title. The exceptions are overraice, and an order will be entered directing purchasers to complete, and requiring the referee from the proceens of sale to satisfy the specific tiens reported on the shares mentioned. The class and expenses of the purchasers, under the circumstances of this case, I think should be allowed them from the fund in the hands of the referce.

> SUPERIOR COUNT-THIAL TERM-PART I. Another Mckarland Trial.

Before Judge Jones. Andrew A. Monell vs. Michael A. McFarland,-In this action the plaintiff sucd for counsel fees due for services rendered in the notorious trial of Daniel McFarland for the murder of Albert D. Richardson in the spring of the present year. The plaintiff claimed that he was cappoyed by the defendant, w o is the brother of Paniel Accaling.

The defendant denied having employed the plaintiff.

on hearing the testimony, however, the jury found for the plaintiff in the full amount claime 1, 2471.

MARINE COURT-PART 3. Suit Against an Alderman-Is a Copy of a Copy a Receipt in Law ?

Before Judge Joachimsen. Charles Wills vs. George Mitchell and Charles Wright,-In May, 1870, Alderman Mitchell sold out his interest in the business carried on in Houston street under the firm of Mitchell & Wright, owing at the time a bill for meat to Jantien Brothers, of Centre Mark t. When he sold out Aiderman Mitchell sent an agent to Jantzen Brothers with money enough to pay his half of the debt then standing in the joint name of the firm, telling him to get a receipt discharging him from all Hability connected therewith. The agent got the receipt, which the Alderman claims discharged him from linbility; but having lost it he could not prove it except by

Mr. Wills (the assignee of Jantzen Brothers), the plantin, claims that when the agent came to him he told him he would give him a receipt for the money, but could not give one so as to descharge Mr. Mitchell from hability, as he did not know the

other partner.
Mr. Witis' bookkeeper testified that he wrote a Mr. Whis' bookkeeper testhed that he wrote a recent, but it being blorier he wrote another and gave it to the agent, an later he had gone made a copy of it had out it in the safe, after which he tore up the obtted one.

The Court held that the receipt produced, being a

copy of a copy, could not be introduced into evidence. The main point in the case is whether the receipt contained the words 'mis half' or not, plaintiff claiming that it did not, and defendant that it did.

The Court reserved its decision. For plaintiff, Peter Cook; for defendant, C. A. Runcle.

COURT OF GENERAL SESSIONS.

The Twenty-fith Street Homi-ide-Michael Kenrney Discharged.

The trial of Michael Kearney, charged with shooting Richard Gerdis, at the corner of Twenty-fifth street and First avenue, in June, 1869, was resumed yesterday, and terminated in the acquittal of the prisoner, the witnesses not being able to identify him as the person who fired the fatal shot.

As Kearney was leaving Court the Recorder said:
"You are discharged. You have had indefaugable triends."

PROONLYN COURTS.

UNITED STATES COMMISSIONER'S COURT. Did Not Deface the Stamps. Before Commissioner Winslew.

John Gastiger, of Shenleid avenue and Jamalea plank road, East New York, was before the Commissioner yesterday on the charge of having neglected to define the revenue stamps on kegs of lemmented figuor. He was held to await the action of the

SUPREME COURT-SPECIAL TEXAL A Real Prince Dispute.

Before Judge Gilbert.

John H. Farry es. Obastiah C. Morgan and Mary . Morgan, his Wife.—The plaintiff brings sult to secure the redelivery of certain deeds executed and delivered by the describants to plainters. Farry was the owner of a hotel in New Jersey and the defendants contracted to exchange a house in Proof. lyn for at. The defendant Obadiah Morgan took the deeds to Jersey and gave them into the charge the decis to Jersey and give them into the charge of plaintiff's havyers. A few days afterwards he went to Jersey himself and then discovered that the stamps had not been adjuce to the deeds and cancelled. Set thereupon took the deeds to Brooklyn, where his wife destroyed them, it appearing that the house was held in her name, and she was not a witness of the delivery of the deeds to plaintiff. Decision reserved.

COURT OF APPEALS.

ALBANT, Dec. 23, 1870.
In the Court of Appeals to-day, after hearing case
No. 160, by order of the Court, a recess was taken
until Wednesday, January 18.

On the 3d of January next the Legislature of Dela-

THE DOOLITTLE REFERENCE SCANDAL.

Motion for a Rehearing of the Motion to Set Ande the Referee's Report-The Counsel at Daggers Drawn-Dialogue Between the Judge and the Counsel-A Drawn Fight.

Yesterday morning the Doolittle reference case was revived in Part _ of the Superior Court, before Judge Spencer, by Mr. Eidridge, who moved for leave to renew the motion to set aside the report presented by Mr. Doolittle as referee in the case of Gray against Fisk, Jr.

COMMENTS OF COUNSEL. In commencing the proceedings Mr. Eldridge said:-I ask to have this order which your Honor made amended in two respects, that is as to their recting the supplementary addavit which I sent your Honor, and which I sent the other side notice offered, publicly read and refused, and then I ask that I may be allowed to renew this motion on payment of the costs of this motion. I state to your Honor that I think it will probably be profitable and well for this Court that this motion to renew should be granted.

COUNSEL ON THE OTHER SIDE. Mr. Dudley Field, who had sat with his back to his opponent, not dergning to bestow a look upon him, now rose, and, addressing the Court, said:-"1 am entitled to hear the grounds of the motion of counsel before I answer."

A FRANK JUDICIAL ADMISSION.

The Court-There was an adidavit sent to me by Mr. Elgradge, which I did not read. I sent a letter to you to say I would not read it. Perhans I was wrong in refusing to read it, and I will let him have the benefit of it.

Mr. Eldridge-I did not get any letter from your

The Court-I sent a letter to you and also to Mr. Field. Did you receive one, Mr. Field?

Mr. Field-No, sir. The Court -Well, I wrote a line to each of you. It is possible the letters were never maked, and are lying among my papers at home. Mr. Eldridge wrote to me, sending that affidavit, enclosing a letter which he had sent to Mr. Field on the subject; then Mr. Field sent me a letter, enclosing one he wrote to Mr. Eldridge on the subject. Then I returned notes in reply-exact counterparts-to each, saying that I had not read the amdavi: and should not read it. had not real the ainday! and should not read it.

Then afterwards Mr. Field came late court, and I thought he had got my letter, but it seems he had not received it. I stated then, in open court, I would not read that affidayit. There has been already more public scandal in the public prints than I liked to see with reference to this case. The reference has been held up to the judgment of the bublic, and now you will make it a nine days scandal again.

COUNSEL ON HIS DIGNITY.

been held up to the judgment of the bubble, and now you will make it a mine days' scandal again.

Occasel on the bushery.

Mr. Eldridge—Now the case is under consideration, I will state that there are facts connected with the case that could not get to your Honor's ears. You think the judgment too sacred to allow of the facts, the sacred facts, which brought it about being stared in the face. Perhaps it is a matter of policy with your Honor.

The Court—You can make a metion for a rehearing before the special Term of the Superior Court, when any jugge sitting in that branch of the court will give you an order against Mr. Fleids to compet him to show cause why the motion should not be reopened.

Mr. Flindge—Do I understand your Honor to say that I can make a motion for a renearing?

Mr. Fleids (warmly)—I hope your Honor will not make any such order.

Aur. Flinds (warmly)—I hope your Honor will not make any such order.

The Court—You don't want any such order. Go to Special Term and ask for an order to show cause why the hearing snould not be reopened, and you can make the other motion at the same time, if you think it a matter of public policy.

The Court—Well, that is left to your own discre-

He policy in the matter.

The Court—Well, that is left to your own discre-

tion.

COURT AND COUNSEL AGAIN.

Mr. Eldridge—it has been circuisted that your Honor made some remarks to the effect that I ought not to have brought this motion.

The Court—I am sure I made no such remark. If

EXPRESS MY SORROW
that the case had been brough: into court. I reframed from writing any opinion or saying anything framed from writing any opinion or saying anything from the bench to indicate my private views on the subject. I decided the question on its merits on the conservation of

the papers before me.

Mr. Field—I heard no such remark from your floor. Now, if the counsel wants to have an ore entered I suggest that it be drawn by him now the spot.

After some further CROSS FIRING

the Court gave an order permitting the motion for a renearing to be made at Special Terms, when the contending counsel left the Court House by different avenues, seemingly anxious to avoid a conflict outside the court, after the little brush inside.

EDUCATION IN BROGREYN.

Reception of Public School No. 31. There were glad little heart-throbbings in Public School No. 31, Rycrson street, near Myrtle avenue. the lives of the young people who are "stripping the tree of knowledge" at that new and commodious institute of learning, and who, having made a good record for the dying year, purpose enjoying a vaca tion, in the course of which tuey will strip the Christmas tree. The event was no less a one than the first reception of this, the largest and handsomest schoolhouse in Brooklyn. At a quarter after nine o'clock ruddy-cheeked boys and girls were in

their seats in

THE PRIMARY DEPARTMENT of his school. The attendance was, as usual, large and the appearance of the chudren such as to reflect the highest credit upon the lady principal of hat department, Mrs. Warren. The School Committee of the Board of Education, Messrs. W. L. Gill, Wm. of the Board of Education, Messirs, W. L. Gill, Win.
Auritha and — McGee, were there at the appointed
hour and did the honours. There were also present
many laties and a few gentlemen friends of the
purples. After the Cibic lesson and the Pater Noster
there were music and calisthenics, marching, &c., in there were must and caustinenes, marching, &c., in all of which exectses the onlinen acquitted them-selves most creditably, and won for their pains-taxing tenchers the eaconitums of all present. A few remarks were made by the incinters of the com-mittee, one of whom very sensibly advised the youngsters against partaking too freely of plant pudding the Caristinas bane of youth, lest they be prevented from attending the reopening of school after New Year's.

pueding the Caristanas bane of youth, lest they be prevented from attending the reopening of school after New Year's.

THE INTERMEDIATE DEPARTMENT
was then repaired to. The scholars here, being older, are, of course, more advanced in their singles. This branch of the school is under the experienced charge of Miss Agnes Riety. The exercises consisted in singing choruses and solos, recitations, dialogues, ac. The solos were especially fine. The gossipy dialogue, between four young misses, in character, "Miss Partington and Her Visitors," was admirable, and would have done honor to older heads. Mr. Gill addressed this department in edogistic terms, remarking that they had worked wonders considering the brief period which has elapted since the organization of the school—only eleven weeks. He hoped they would continue to improve for the future as they had done in the past. Air. Sprague and others spoke in a shin at strain.

THE URAMMAR DEPARTMENT

Was the bigiest and last branch visited. Here the exercises were carried on mith hearly half-past one o'clock. The pupils recited their respective parts web. Ex-Judge Greenwood, A. B. Baylis and the members of the committee each spoke at considerative length here, and the school, with a "Merry christmas and happy New Year," was dismissed for the holidays.

MR. Sprague and others spoke in a similar strain.

When the higher and others spoke in a similar strain.

When the higher and the spoke in the plast of the control of the

SUFFERING FOR HIS COUNTRY.

Adventures of a Cuban General.

Wounded Five Times, but Undonnted-A Spanish Lie Retuted-General Adolfo Varona Alive and Well-General Quesada's Expedition.

Diplomatic and military lies come thick and fast from the Spanish cut-throats in unhappy Cuba, but not one of the de patches dictated by D. Rodas and Valmaseda caused so much consternation in the ranks of the Cuban refugees in this city as the announcement flashed over the wires some time since that General Adolfo Varona, chief-of-staff to General Quesada and casef of the Cuban artillery, had been

CAPTURED BY GUEBILLAS and instantly executed. It being well known that the General was the bearer of highly important despatches to the Cuban government, and that on the proper delivery of the commissions and papers depended the late of a number of patriotic men whose lives were of infinite value to the sister republic, and of an important expedition, toward which the eyes of all Cubans are now anxiously directed, the auxiety of the inhabitants of the Queen Isle of the Gulf now here can be readily understood.

Following the telegraphic despatch which appeared in all the papers of this city came a letter to the Herald from its Havana correspondent, noticing the rumor of General Varona's capture and execution. This more than the telegraphic despatch filled with grief the breasts of thousands of our people.

On Thursday afternoon General Varona, in person, with jaunty step and determined mien, entered the HERALD office, and requisted very politely that the Spanish report be corrected. He said, laughing in

HERALO office, and requisted very politely that the Spanish report be corrected. He said, laughing that he was not dead, and did not mean to due by a Spanish builet or bulletin if he knew lumself; and, indeed, the General secured to know himself particularly well. That he had had A NARROW ESCAPE FROM DEATH in his perfluor mission this gallant officer's appearance abundantly showed. One wound in the breast (guinshot) with a supplementary hole in the refs. Side; a sabre cut in the locence at end inter bayonate proson in the right side testined to the fact.

The General staced that he was the bearer of highly important despa class from Quesada to the Caban process cell thank with his servant, Not far from the coast he was, at inclinating states a soop, and proceed cell inhand with his servant, Not far from the coast he was, at inclinating states a soop, and proceed cell inhand with his servant, Not far from the coast he was, at inclinating states by four guernians, one of whom was an onicer. He peppered the attacks up party with his soots from two devolvers, but the not succeed in killing any of them. A rosm was then made for him; the officer rushing at him with a drawa swort land the guernlas training him in the rear with their oa, onest, which is a strength in the trace of his assinant. At the same moment he received a deep cut in the forehead from the descending sabre of the guernlas that followers. He then led had swooned away, He supposes that the guernlas must have rushed to the assistance of their chief, and left him to die, and three bayonet worlds in the right said from the descending sabre of the guernlas sing on his hands and knews as rapidly as last strength permitted, the cannot tell. He awoke from a deep sitimoter to filled his servant was carefully tended, and in the time was able to renew his journey and to present in person to the Coton Executive the despatches of which he was the bearer.

General Various arrayed here from Cabo on bust-the early and the colonic of the cannot colonic. Servant was t

Executive the despatches of which he was the bearer.

General Varona arrived here from Cuba on business of importance and will remain until his desperate wounds are healed, when he will return to his post. He is confident that Cuba is sure to succeed in gaining her independence. The people are enthusiastic and resolute, and only await the arrival of arms and amminition to imaginate a movement a aimst the Spanish of a most formidable character. Referring to

THE EXPEDITION OF QUESADA, he said that but hithe credit should be given to the reports of its value. He was sure that the main object aimed at would be attained and such an impetus thereby given to the cause of Cuba Libre as would settle the precessions of the Madria government to the control of the American island at once and forever.

bound settle the precessions of the Andrea government of the Andrean Stand at once and lorever.

CEMEE FESTWAL

The Chinese in San Francisco are making preparations to the celebration of the most important restival that has occurred in their calendar for ten centuries. Next February will be, according to the Chinese testinont, the commencement of another thousand years, and the rejoicings will surpass anything of the kind ever witcessed in the celestial him in this country.

MARRIAGES AND DEATHS.

Married.

Bairrows—Ryckman—On Thursday, December 22, at the residence of the bride's mother, by the Rev. Jr. Mikels, assisted by the Rev. J. H. Apple ton, Mr. Henney, C. Burnows, United States Navy, to Annabella, Mospholo, on the character of the bride's protect-in-law, by the Rev. Jr. Mikels, Apple ton, assisted by the Rev. Jr. Mikels, Mr. Henney, C. M. Married, and the residence of the bride's brother-in-law, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's brother-in-law, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's mother, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's mother, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's mother, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's mother, by the Rev. Jr. M. Apple ton, Assisted by the Rev. Jr. M. Thursday, December 22, at the residence of the bride's previous development of the thorough the thing of the repulse of the december of the thing of the residence of the bride's previous december 22, by the Rev. Jr. M. Thursday, December 23, Assistance of Rev. Jr. W. M. Apple ton, Assistance of the previous december 24, at the residence of the bride's previous december 25, at the residence of the bride's previous d

lowa papers please copy.

Died. ARMSTRONG.—On Friday, December 23, ANNIE, wife of William A. Armstrong, and daughter of Aoby A. Hadield and the late Captain Martin Thompson. nompson. The friends and relatives are invited to attend the funeral, from 202 Henry street, on Monday after-

BAILEY.—In Jersey City, on Thursday, December 22, Ktory, daughter of J. A. and P. R. Bailey, aged 3 years. Relatives and friends of the family are invited to

her late residence, 965 Sixth avenue, this (Saturday afternoon, at two o'clock, thence to Calvary Ocmo

4 1

CRUMMENAUER.—On Friday December 23. GEORGE CRUMMENAUER. On Friday December 23. GEORGE J. CRUMMENAUER, in the 52d year of his age. The relatives and friends are re pe fully invited to attend his foneral, on Sunday afternoon, at two o'clock, from his late residence, 184 Pavonia avenue, Jersey City, N. J.

DAYIS.—On Thursday, December 22, after a lingering illness. ELIZABETH M., wife of Henry S. Dayis,

The relatives and friends of the family are respectfully in fied to attend the family are vices, this (Saturday) afternoon, at one o'clock from her late restrence, No. 345 Turd avenue.

DEAN.—On Finday moraing, December 23, of consumption, John S. DEAN, in the 5th year of his age. age.
The relatives and friends of the family are respectfully invited to attend the limeral, on Sunday, atternoon, at one o'clock, from \$34 West Twenty-

spectrally invited to attend the fineral, on Sunday alternoon, at one o'clock. Home 34 West Twenty-fourth street,

Doan.—At Greenpoint, on Thurs av, December 22,
Winslow Doan, in the 47th year of his age.

The relatives and friends of the fonders, from his late residence, corner of Java and structure in the function of the following of the parents, at the residence, corner of Java and structure of the parents, at the residence, forespoint, on Sunday afternoon at one o'clock, and Jane Francis, youngest daughter of aimes C. and Jane F. Dorin, aged 6 years, 6 months and 3 days.

The relatives and friends of the facility are respectively laying the to attend the inneral, this (saturday) attendon, at half-past one o'clock.

Duraking.—On Thursday, December 22, John Bowen Duraking, second son of thomas W. and Caroline Dutrine, aged 27 years.

The relatives and friends of the family are respectfully invited to attend the inneral, from his late residence, 224 West Twenty-mith street, this (Saturday) at emoon, at one o'clock.

Philadelphia and London (England) papers please copy.

Figerbald.—On Thursday, D cember 22, John

Philadelphia and London (England) papers please copy.

Fizgerald.—On Thursday, Dicember 22, John A. Fizzerald. Jr.

The relatives and friends are respectfully invited to attend the faneral, from the residence of his brother-in-law, Andrew Sheehan, Lib. Last Filty-sixth street, this (Saturday) afternoon at one o'clock. Detroit (Alch.) papers please coly.

Fashoul.—On wednesday, December 21, Cassie, daughter of Philip and Johanna From a.

The relatives and friends of the facility are respectfully invited to attend the funeral from the residence of her father, 114 River for ace, honoken, this (Saturday) afternoon, at one o'clock.

octook. Trains leave Thirlett street at fine A.
M. recurring, leave Turytown at ten immutes past
five P. M.
Gardar.—At Haverstraw, on Wednesday noon,
December 21, Silas D. Gardara, after a long and
painful thress, aged 71 years.
The relatives and friends of the turnity and of his
son-many, A. B. Reid, are respectfully invited to
attend the funeral, from his late residence, on Tuesday afternoon, at half-past one of lock.
Hafein.—At Chappagua, Wescanester county,
December 23, Caleb Haldar, aged 82 years.
The relatives and friends of the amily are respectfully invited to attend the fineral from his late
residence, on Sunday morning, at ten of lock, and
the Friends' meeting house at eleven of clock,
Hatchcock.—On Thurday, December 22, Miss
Amanda Hitchcock.
Her relatives and friends, also the members of the
Sixteenth Raptiss charch, are invited to attend the
funeral, from the meeting house of the Baptist
church, in Sixteenth street, near Elichh avenue, this
(Saturday) afteracoon, at one of clock.
Newburg papers please copy.
Hors.—On Friday, December 23, John William
Hors, of organic disease of the heart, aged 73 years
and 9 days.
All trends of the family are requested to attend
the funeral services, at the Charch of the Atonament, corner of Seventeenth — et and Fifth avenue, South Brooklyn, at half-past three o'clock, P. M.
Canadian papers please copy.
Johns.—On Friday, December 23, Isaac F. Jones,
In his 68th year.
Fineral from his late residence, 2:1 West Twenty-

in his 68th year.
Funeral from his late residence, 2.1 West Twenty-second street, on Tuesday morning, at eleven o'clock.

O'clock.

MONTCOMPEY.—On Wodnesday, December 21,
GEORGE A., son of Samuel and Eliza Montgomery,
aged 22 years.

The relatives and friends are respectfully invited
to attend the funeral, from his is a residence, 100
East Fifty-fifth street, this (Saturday) afternoon, at
one O'clock.

MULVEY.—On Friday, December 23, Joan MULVEY,
aged 23 years, 3 months and tiday.

SAWYER.—On Thursday, December 22, EMILY, WIFE of Nathaniel Sawyer.

The relatives and friends of the family are respectfully invited to attend the funeral, from 131 East Seventy-third street, on Sanday atternoon, at one

SCHENCK.-On Sunday, December 18 at Catskill, SCHENCK.—OH SHIGHAY, DECEMBER BY CASSELLY, N. Y., WILLIAM E. SCHENCK, acced 19 years. SMITH.—In Brooklyn. on Thursday, December 22, ELIZAMERH SMITH, WHO OF WILLIAM 11, D. Smith and daughter of the late William and Jane Smilen, aged

daughter of the late William and Jane Smilen, aged 30 years, 7 months and 10 days.

The friends and relatives are respectfully invited to attend the funeral, from her late residence, 80 Clermont avenue, Brooklyn, on Sunday afternoon, at half-past one o'clock precisely.

Caltornia papers please copy.

SMITH.—On Thursday, Becember 22, SUSAN, wife of William Smith, daughter of Patrick and Mary Sheridan, parish of Draminane county Cavan, Ireland, in the 18th year of her age.

The relatives and friends of he family are respectfully invited to attend the inneral, from her late residence, 254 West Tairty-first street, this (Saturday) afternoon, at one o'clock.

Sroim,—On Wednesday evening December 21, of the Frith Avenue Hotel, John B. Sroim only son of the late Isaac A. Storm.

of the late Isaac A. Storm.

The relatives and friends of the family are respectfully invited to attend the funeral, from Christ church, Filch avenue, corner Thirty-lifth street, on

aged 37 years.

The relatives and friends of the family, and those of his brother. Thomas, are invited to attend the funeral, pn Monday nor ding, at nine o'clock, from his late residence. No. 411 West Twenty-seventh street, from whence his remains will be taken to St. Columbus church, West Twenty-36th street, where a so-cam high mass will be said for the repose of his soul.

Sould mad mass sould be a sould b

nek, from Fullon ferry, Brooklyn stee. Remains e interred at Findoush Commercy. Outs.—On Friday, December 23, MARY HENRI-A, daughter of John C. and Mary A. Wolf, aged 1

Wolf. On Printy Beand 23 Mary A. Wolf, aged 1 year, 11 months and 15 days.

The relatives and include of the family and Sandy Hock phots are invited to attend the faneral, from 31 South Sixth street, Williamsburg, on Sunday afternoon, at one e clock.